

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

FERRING PHARMACEUTICALS INC.,
REBIOTIX INC.

Plaintiffs,

V.

FINCH THERAPEUTICS GROUP, INC.,
FINCH THERAPEUTICS, INC., and FINCH
THERAPEUTICS HOLDINGS, LLC.

Defendants.

C.A. No. 21-1694-JLH

FINCH THERAPEUTICS GROUP, INC.,
FINCH THERAPEUTICS, INC., FINCH
THERAPEUTICS HOLDINGS, LLC, and
REGENTS OF THE UNIVERSITY OF
MINNESOTA

Counterclaim-Plaintiffs/Reply Defendants,

V.

FERRING PHARMACEUTICALS INC., and
REBIOTIX, INC.

Counterclaim-Defendants/Reply Plaintiffs.

**JOINT STIPULATION AND ~~[PROPOSED]~~ ORDER TO
STAY EXECUTION OF JUDGMENT PENDING APPEAL**

WHEREAS, on August 15, 2024, the Court entered judgment in favor of Finch Therapeutics Group, Inc., Finch Therapeutics, Inc., and Finch Therapeutics Holdings, LLC (collectively, “Finch”) and the Regents of the University of Minnesota (“UMN”) and against

Ferring Pharmaceuticals Inc. and Rebiotix Inc. (collectively, “Ferring”) in the amount of \$25,815,061 (the “Judgment”), D.I. 488;

WHEREAS, currently pending before the Court are Finch and UMN’s Post-Trial Motion for Enhanced Damages, Ongoing Royalty, and Pre- and Post-Judgment Interest Pursuant to Order on D.I. 490, D.I. 496, 501, 503, 504, 511, 512, 513, 526, 527, 528 and Ferring’s Renewed Motion for Judgment as a Matter of Law, D.I. 497, 502, 514, 524, 525;

WHEREAS, Ferring seeks a stay of execution of the Judgment pending any appeal in this case; and

WHEREAS, Ferring has obtained a letter of credit for \$31,102,000, which is attached hereto as Exhibit A.

NOW THEREFORE, it is hereby stipulated and agreed by and among the parties:

1. The letter of credit attached as Exhibit A should be approved by the Court pursuant to Federal Rule of Civil Procedure 62(b);
2. Upon the Court’s approval of the assented-to letter of credit, pursuant to Federal Rule of Civil Procedure 62(b) and the Court’s inherent authority, enforcement of the Judgment shall be stayed until either (i) Ferring fails to timely file a notice of appeal to the Federal Circuit, or (ii) the issuance of the Federal Circuit’s mandate in any appeal; and
3. If subsequent to this stipulation the Court increases or decreases the damages award reflected in the Judgment, Ferring will increase or decrease the letter of credit in proportion to the changed damages award in the amended Judgment.

Dated: June 26, 2025

Respectfully submitted,

/s/ Mary W. Bourke

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IT IS SO ORDERED this 26th day of June, 2025.


The Honorable Jennifer L. Hall
United States District Judge